



CITY OF MORGAN HILL
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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PLANNING COMMISSION

TUESDAY, OCTOBER 14, 2008

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA 95037**

COMMISSIONERS

CHAIR SUSAN KOEPP-BAKER
VICE-CHAIR MIKE R. DAVENPORT
COMMISSIONER H. GENO ACEVEDO
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH J. LYLE
COMMISSIONER JOSEPH H. MUELLER
COMMISSIONER WAYNE TANDA

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

CONSENT CALENDAR:

MINUTES: September 23, 2008

PUBLIC HEARINGS:

- 1) **USE PERMIT, UP-08-10: DEPOT-CITY OF MH/PARKING LOT:** A request for approval of a conditional use permit to construct an interim public parking lot on an approximate one acre site located at 17130 Depot Street in the CC-R, Central Commercial-Residential Zoning District. (APN 726-13-047)

Recommendation: Discussion.

- 2) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) QUARTERLY REPORT:** Quarterly review of the progress of residential projects that have been awarded building allocations under the City's Residential Control System.

Recommendation: Approve report, with recommendation to forward to the City Council for approval.

- 3) **HOLIDAY MEETING SCHEDULE:** Consideration of possible change of meeting dates and/or cancellation of regular meetings in November and December.

Recommendation: Discussion.

- 4) **SCHEDULE FOR REVIEW OF PROJECT APPLICATIONS FOR THE UPCOMING RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) AFFORDABLE, DOWNTOWN, OPEN/MARKET RATE, SMALL VERTICAL MIXED-USE, SMALL PROJECT AND MULTI-FAMILY RENTAL PROJECT COMPETITIONS:**

Recommendation: Approve schedule by minute action.

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- 5) **BI-ANNUAL VACANCY SURVEY:** Bi-Annual review of vacancy survey results as required in accordance to the Morgan Hill Municipal Code, Chapter 17.36.

Recommendation: Approve Bi-Annual Vacancy Survey by minute action, with recommendation to forward the report to the City Council for approval.

ANNOUNCEMENTS: None

UPCOMING AGENDA ITEMS FOR THE OCTOBER 28, 2008 MEETING:

- DAA-05-13C: Jarvis-South Valley Developers
- DSA-07-08A: Jarvis-South Valley Developers
- ZA-08-18: Diana-EAH
- SD-08-07: Diana-EAH
- DA-08-02: Diana-EAH
- DS-08-03: Diana-EAH
- ZA-07-10: Ginger-Murray
- SD-07-06: Ginger-Murray
- DA-07-04: Ginger-Murray
- DS-08-04: Ginger-Murray

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.

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NOTICE

NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.

NOTICE

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act that are distributed to a majority of the Planning Commission less than 72 hours prior to an open session, will be made available for public inspection at the Office of the City Clerk at Morgan Hill City Hall located at 17555 Peak Avenue, Morgan Hill, CA, 95037 at the same time that the public records are distributed or made available to the Planning Commission. (Pursuant to Government Code 54957.5)

DRAFT



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION MEETING MINUTES

REGULAR MEETING

SEPTEMBER 23, 2008

PRESENT: Acevedo, Davenport, Escobar, Lyle, Mueller

ABSENT: Koepp-Baker

LATE: Tanda, who arrived and was seated at 7:02 p.m.

STAFF: Planning Manager (PM) Rowe and Minutes Clerk Johnson.

In the absence of Chair Koepp-Baker, Vice-Chair Davenport called the meeting to order at 7:00 p.m., inviting all present to join in pledge of allegiance to the U.S. flag.

DECLARATION OF POSTING OF AGENDA

Minutes Clerk Johnson certified that the meeting's agenda was duly noticed and posted in accordance with Government Code Section 54954.2.

OPPORTUNITY FOR PUBLIC COMMENT

Vice-Chair Davenport opened the floor to public comment for matters not appearing on the agenda. With no members of the audience indicating a wish to address items not appearing on the agenda, the public hearing was closed.

CONSENT CALENDAR:

MINUTES:

**SEPTEMBER 9,
2008**

**COMMISSIONERS MUELLER/ESCOBAR MOTIONED TO APPROVE
SEPTEMBER 9, 2008 MINUTES WITH THE FOLLOWING REVISIONS:**

Page 6, paragraph 2: years ~~for~~ *before* working....

Page 7, paragraph 3: neighbors on east ~~west~~ side;

Page 8, Paragraph 5, bullet 2: and ~~not~~ does not encourage

Page 9, paragraph 6, (add/correction):Public Works will investigate a possible solution, *including – at the request of Commissioner Tanda – maintenance of the site, similar to what the applicant described was being done at the Gilroy cemetery .*

Pg 10, paragraph 7 (add):.....escrow *for impact fee payment...*

Page 11, paragraph 7, bullet 3 new rules for allocations, ~~get~~

Page 14, paragraph 2 (add): *Commissioner Mueller further called attention that everyone with projects submitted for the 2010-11 competition must meet their BMR commitments in their applications.*

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THE MOTION PASSED (6-0-0-1) WITH THE FOLLOWING VOTE: AYES: ACEVEDO, DAVENPORT, ESCOBAR, LYLE, MUELLER, TANDA; NOES: NONE; ABSTAIN: NONE; ABSENT: KOEPP-BAKER.

Vice-Chair Davenport announced that staff had advised agenda item 2 was dependent on the ultimate outcome of item 1; therefore, Vice-Chair Davenport directed item 2 to be taken out of order and heard first on the agenda.

PUBLIC HEARINGS:

2) DAA-05-13C/ DSA-07-08A: JARVIS-SOUTH VALLEY DEVELOPERS

A request for approval to amend the development schedule and development agreement for 78 town homes in the Madrone Plaza project to extend the deadline for obtaining building permits and commencing construction by up to one year. The project site is approximately nine acres in size and is located at the southeast corner of Cochrane Rd. and Monterey Rd. in an R3 (PUD) zoning district.

PM Rowe presented the staff report, noting that it might be beneficial to the applicant if this item, following the noticed public hearing, were to be continued to the first meeting in November, 2008. "By then, the City Council would have time to consider the recommendations the Planning Commission will have made (regarding potential changes to the Below Market Rate [BMR] unit requirements). If the Council adopts or amends the recommendations as final, then the Planning Commission will have direction to carry out their directives. Continuing the matter will provide the applicant the opportunity of not having to file another amendment request for extensions to the development agreement and the development schedule," PM Rowe advised.

Responding to a question from Commissioner Mueller, PM Rowe observed that the concern of Scott Schilling, the applicant, was making changes before he was shown to be behind schedule. "Staff is recommending that if the Commissioners wish to have the matter continued, no points be deducted from the project's initial application," PM Rowe said. Commissioner Lyle commented that the first meeting in November would occur before scoring discrepancies would be effective.

Commissioner Escobar clarified, "Testimony tonight regarding the request (for modification to the development agreement and development schedule) might be more appropriately considered once a final policy has been adopted by the City Council. Tonight the testimony may be valid, but a better use of time would be served to hear the matter in November."

Vice-Chair Davenport opened the public hearing for agenda item #2.

Having just arrived to the meeting, the applicant - Scott Schilling, 16060 Caputo Dr., #160 - was informed of the recommendation to continue the matter to the November 11, 2008 Planning Commission meeting.

Mr. Schilling said, "My only concern is: if we are not totally in compliance with the time schedule, would that create conflict with Measure C?" Assured that such conflict would not be considered, Mr. Schilling indicated he was in favor of the plan.

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COMMISSIONERS MUELLER/ESCOBAR MOTIONED TO CONTINUE THE MATTER OF DAA-05-13C/ DSA-07-08A: JARVIS-SOUTH VALLEY DEVELOPERS TO THE NOVEMBER 11, 2008 PLANNING COMMISSION MEETING.

Under discussion of the motion, the following issues were raised:

- *potential of canceling the second meeting in November, which might create conflict if the matter were not resolved at the November 11 meeting
- *need to continue matter to date certain

COMMISSIONERS MUELLER/ESCOBAR AMENDED THE MOTION TO SET THE DATE FOR CONTINUATION TO THE SECOND PLANNING COMMISSION MEETING IN OCTOBER (TUESDAY OCTOBER 28, 2008) WITH THE PROVISIO THAT SHOULD THE MATTER NOT BE RESOLVED AT THAT TIME, A FURTHER HEARING WOULD BE DURING THE FIRST MEETING IN NOVEMBER.

THE MOTION PASSED (6-0-0-1) WITH THE FOLLOWING VOTE: AYES: ACEVEDO, DAVENPORT, ESCOBAR, LYLE, MUELLER, TANDA; NOES: NONE; ABSTAIN: NONE; ABSENT: KOEPP-BAKER.

The regular order of the agenda was resumed.

1) ACCELERATING PREVIOUSLY APPROVED HOUSING PROJECTS

Discussion of the issues, policies and options addressing the cost of below market rate (BMR) housing and other factors that contribute to the local decline in the production of new homes in previously approved housing projects.

PM Rowe presented the staff report, calling attention to:

- the various tables and exhibits in the report
 - pricing of housing types
 - future BMR commitments and obligations; inventory of completed units (exhibit E)
 - progress in reaching housing goals (exhibits B & C)
 - shortages to categories of extremely low and moderate
- letter received from Syncon Homes with suggestions to help projects move forward again
- review of the September 9, 2008 workshop discussion
- discussion intent of this meeting:
- policy and system for granting extensions (length of time, etc.)
- availability of 77 units still to be allocated
- loan to value ratio questions (it was pointed out that the loan price was not affected by sales prices, but by front-end down payments)
- need for short term concessions ~ coupled with agreement for incorporating green building standards
- exhibit F ~ outstanding units (125)
- Senior units are 1 and 2 bedroom units
- total of 1 and 2 bedroom units is 329 out of listed 386 units allocated to Downtown (impact on schools not significant)
- City manager has asked schools to move impact fees to end of escrow

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- consideration of Redevelopment Agency (RDA) to provide equity sharing

PM Rowe also reported that in August the City Council recommended that Staff work with the Commissioners to formulate a proposal for adjustment to the current BMR policy to be considered at an upcoming session of the Council. Part of the recommendation is to be emphasis on keeping allocated projects moving forward, while concurrently looking at ways to lower cost to produce market rate and lower the number of BMRs for a specified period of time, PM Rowe. He also noted that project eligibly for assistance for the year 2009-10 was for that portion of the applications pertaining to BMRs. PM Rowe also recapped the consensus items arrived at the last Commission meetings for further discussion at this meeting:

- * applicable time period/duration
- * applicable triggers for assistance
- * measurable outcomes
- * accomplishments through 2006-07

also to be consider in discussions in the current meeting:

- scenarios 1 -2- 3 – 4 as outlined in the staff report

Commissioners noted other items for discussion:

- the summary tables included in the distributed staff report
- possible exclusion of the 500 allocations set aside for downtown
- perceived discrepancies in various categories, e.g., extremely low income and above moderate units
- data from local Realtors which have grouped numbers for Gilroy and Morgan Hill (need to separate Morgan Hill data out)

Business Assistance and Housing Services (BAHS) Director Toy joined the meeting, and informed that the data from the Realtors is the source used for other reports, and is believed to be good data.

Vice-Chair Davenport opened the public hearing.

Rocke Garcia, 14500 Sycamore Dr, distributed a letter, and referenced a letter he had sent to the Commissioners the previous day. Mr. Garcia spoke to:

- the City's surviving home builders are facing a 'rough road'
- the Federal government's proposed \$700 billion is troublesome as details are unknown (could 'dump' a large number of foreclosed houses on the local market)
- home prices in the City are down by over 20% for this year
- a recent auction for below market rate dwellings resulted in little action
- City (especially Public Works) and School District fees have risen drastically
- difficulty of finding qualified buyers for BMRs
- developers have been building then 'sitting' on units for 6 – 9 months at considerable expense to themselves

Mr. Garcia said, "If you really want to help the City, please consider recommending eliminating all BMR requirements for at least two years."

Mr. Garcia noted that prior discussion had centered on the ability of the City to meet the Regional Housing requirement numbers. "Probably that won't happen. I surely hope this

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is a temporary crisis. I recommend eliminating of all BMRs for a two-year period. It would also help accelerate building once funding is available if the City were to freeze all City fees until the end of escrow," Mr. Garcia stated.

BAHS Director Toy advised the City Manager had asked the School District to freeze their fees.

Commissioners discussed with Mr. Garcia his previous request to reduce the BMR obligation by 50% versus the current request for elimination of the BMR obligation.

Scott Schilling, 16060 Caputo Dr., #160, spoke to the Commissioners regarding attempts at 'putting deals together'. Mr. Schilling said he agreed with the proposal explained by Mr. Garcia, and stressed that with the reduction of BMR commitments that he and South County Housing have would help in the 'current situation for the next 12 – 24 months'. Mr. Schilling suggested postponing the fees until a Certificate of Occupancy is issued, as he addressed the 'significant school fees required at the time of pulling a permit'.

Commissioners discussed with Mr. Schilling the various buyer incentive programs available as well as the currently constructed town homes in relation to median and open market rate units.

Mr. Schilling spoke to:

- positive projected protections for RDA should the proposal to have that agency back (support) homebuilders.
- ways of determining housing market recovery
- importance/intent of Build It Green (BIG) programs
- builders intention to go ahead with portions of developments as soon as sales pick up as infrastructures are already in

BAHS Director Toy explained fee and timelines, noting that each of those factors can vary according to project detail.

Dick Oliver, 388 Woodview Ave., #100, addressed the Commissioners regarding the possibility of reducing the required fees for a set period.

Mr. Oliver continued by saying that Don Lapidus had asked Mr. Oliver to tell the Commissioners of this recent experience of building 5 BMR homes for which no qualified buyers could be found. "Closing on BMRs is difficult," he said.

Mr. Oliver then spoke to having the downtown units removed from the mix, which could then present a 'picture reflective of the past building indicators'. Mr. Oliver also detailed the continuing difficulty of lenders willing to generate loans. Mr. Oliver then explained the current inventories of housing units he has here in Morgan Hill, explained that the City of Gilroy was 'much worse off' and that a group of Gilroy business persons had intent of forming a coalition to work with the Planning Commission and local government officials in that town.

Responding to questions, Mr. Oliver said, "Some of the units in Mission Ranch sold rapidly and others have languished on the market. Selling indicates the function and

fluctuation of the marketplace. You must have the right buyer for the right house.”

Commissioners discussed with the three builders the following:

- possibility of structuring the timeframes (pulling permits>>commencement of construction) at the present time to June 30, 2010
- need to have modified development agreements and development schedules reviewed/approved by the City Council
- banks reluctance to lend money for additional housing units until sales are verified of currently built / in-progress units

Mr. Garcia said, “This is my fourth recession in my 30 years as a builder. This is by far the worse and we still don’t know how deep it will be. Right now, we are considering the effect on the community of housing that previously sold for \$800,000 that might be worth only \$300,000 if the proposed government bailout becomes reality.”

Commissioner Escobar said he did not think the bailout would necessarily dump many more houses on the market.

Mr. Garcia said, “I’m asking for reprieve of the BMR obligations and for the ability to construct two median and two low income units based on the floor plans submitted.”

With no others present indicating a wish to speak to the issues, the public hearing was closed.

BAHS Director Toy clarified that all median priced units are considered ‘sale units’.

The Commissioners commenced discussion of the 13 items (contained within the staff report) which had been presented for consensus. Issues covered included:

- ◇ some data was missing and will be provided/corrected by staff
- ◇ differenced in median and moderate unit pricing (Regional Housing Needs Assessment) RHNA numbers indicate that moderate units are categorized as being in the median group)
- ◇ allotment years (2010-11) for the next competition and when median BMRs will become actualized
- ◇ staff input regarding current projects and status thereof
- ◇ clarification of items on exhibits B & C
- ◇ City Council inaction on 800 unit spread
- ◇ anticipated numbers of units to be constructed (allocations previously awarded and those anticipated)
- ◇ considerable input was had as to the possibility that not many units will be built in the next year and a half
- ◇ need for making decision on the request for eliminating BMR requirement very quickly
- ◇ if ‘dirt not broken’, there would be no consideration for adjustment to the development agreement or the development schedule
- ◇ the development agreement would to ‘spell out’ the parameters of programs commitments which can be made
- ◇ necessity of price (sales) recovery
- ◇ need for additional information (column) to reflect potential adjustments through

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- ◇ equitable financial relief for developers
- ◇ preference of scenario options presented
- ◇ concerns of meeting intent of General Plan for placement of BMRs
- ◇ focus on having fees deferred to close of escrow
- ◇ need to have target date of June 30, 2010 for having temporary program:
 - } (forgive BMR requirement (or retain 50% of BMR requirement)
 - } provide assistance to developers (cutting/reducing/deferring in-lieu fees
 - } having fees due only on Certification of Completion)
 - } extension of development agreements/schedules sunsetted ~ 2010-2011 rules would become effective then

PM Rowe advised that the City Council has scheduled a workshop when Planning Staff will present the recommendations from the Commissioners.

Having ascertained conclusion of the discussion, Vice-Chair Davenport determined that consensus was agreed on:

- revised Exhibit E, the inventory of completed new homes - Planning Commission accepted the exhibit and requested staff to review with updates corresponding with other projects need table saying how many projected units (100 or so) to be built by 6/30/10 so the need is based on that number of units built versus 700 units being constructed
- RHNA Information Exhibits B & C were accepted as presented
- effect on RHNA of lowering BMR requirements - Planning Commission action of lowering BMR's by 50% for a two-year period is less than total shown in Exhibit A given current market conditions (47 BMR will not be reduced by half because not all 700 units will be constructed). Staff should provide more realistic information based on builders' data provision
- BMR reduction scenarios Exhibit D: Planning Commission recommends Option #1 [reduction of 50% (5% low)] The consensus on this was skewed, with a proposal by Commissioner Mueller (2% low, 4% median preferred by one Commissioner) / the Planning Commission further clarified that the Capriano Project only has to provide three BMR units
- Exhibit C- Planning Commission said to include percentage attainment
- loan to value ratios – Planning Commission accepted analysis
- Short-term Concessions- PC Action recommended that City get commitment in return in Development Agreement for BMR reduction (e.g. improved BIG)
- inventory Sheets- Planning Commission accepted with modifications
- Exhibit E- Planning Commission accepted as presented
- duration of BMR Reduction Program- Planning Commission recommended that projects which begin construction by June 30, 2010 are eligible for reduction; if project doesn't accomplish phase completion, the development agreement will revert to the original requirement [one Commissioner objected, asking that the 5% low, 5% median - suggested by Commissioner Mueller – be placed in the next competition]
- in-lieu Fees – Planning Commissioners generally expressed preference for some option in eligible development agreements for a fee reduction up to

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- June 30, 2010 and defer City fees to close of escrow. Commissioners
- strongly suggested a needs analysis of the fiscal impact for a two-year period of BMR reductions be prepared for Council review
 - Citywide Down-payment Assistance Program and Equity Share- Planning Commission supports exploration of current and future programs
 - trigger for Market Recovery- Planning Commission suggests the City Council should consider letting the Commissioners return with a measurement based on a to-be-determined methodology for City's assistance
 - Measurable Outcome- Planning Commission questioned: "Do additional units get built?"
 - School Liaison Committee- Planning Commission stressed the need of outcomes of fee reduction request before a recommendation is formulated
 - RDCS Allocation – Planning Commission expressed the need to revisit un-constructed BMR's being allocated to affordable housing allocation

COMMISSIONERS MUELLER/TANDA MOTIONED SEND THE CONSENSUS RECOMMENDATIONS TO THE CITY COUNCIL, AND TO EMPHASIZE THE COMMITMENT TO REDUCE THE NUMBER OF BMRS TO 6/30/10. THE MOTION PASSED (6-0-0-1) WITH THE FOLLOWING VOTE: AYES: ACEVEDO, DAVENPORT, ESCOBAR, LYLE, MUELLER (who said his was a qualified vote as he thought some of the included items added burdens to the developers), TANDA; NOES: NONE; ABSTAIN: NONE; ABSENT: KOEPP-BAKER.

ANNOUNCEMENTS: PM Rowe reiterated the planned Council workshop for October 15, 2008 regarding the issues revealed in agenda item 1.

Vice-Chair Davenport noted that the Commissioners working on the subcommittee will have an opportunity to review the issues and concerns raised during discussion of the Mt. Hope Cemetery before that item is returned for consideration by the Commissioners.

CITY COUNCIL REPORTS: No actions resultant from Planning Commission actions.

ADJOURNMENT: Noting that there was no further business for the Planning Commission at this meeting, Vice-Chair Davenport adjourned the meeting at 10:33 pm.

MINUTES RECORDED AND PREPARED BY:

JUDI H. JOHNSON, Minutes Clerk



MEMORANDUM

To: PLANNING COMMISSION

Date: October 14, 2008

From: COMMUNITY DEVELOPMENT DEPARTMENT

**Subject: CONDITIONAL USE PERMIT APPLICATION,
UP-08-10: DEPOT-CITY OF MORGAN HILL (INTERIM PARKING LOT)**

REQUEST

The City is requesting approval of a conditional use permit to construct an interim public parking lot on an approximate one acre site located at 17130 Depot Street in the CC-R, Central Commercial-Residential Zoning District (APN 726-13-047).

RECOMMENDATION

Environmental Assessment:	The project is categorically exempt from CEQA under Section 15304(e), Minor Alterations to Land, and Section 15311(b), Accessory Structures
Application UP-08-10:	Adopt Resolution recommending Council approval of the Conditional Use Permit
Processing Deadline:	March 2, 2009

SITE DESCRIPTION

Location:	East side of Depot Street generally between 3 rd and 4 th Streets
Site Area:	41,004 sf (0.94 ac.)
Zoning:	CC-R, Central Commercial-Residential
General Plan:	Mixed Use

BACKGROUND/CASE ANALYSIS

The City of Morgan Hill Public Works Department is requesting approval to construct an interim public parking lot at 17130 Depot Street. The zoning for the property is CC-R in which public parking lots are listed as a conditional use. Typically, conditional use permits are approved by the Planning Commission. However, the proposed parking lot is being processed concurrently with other city-sponsored downtown projects, and therefore, the City Council will have the final approval authority for the proposed conditional use permit.

USE PERMIT FINDINGS

The required findings for a Conditional Use Permit are contained in Section 18.54.050 of the Municipal Code and read as follows:

- A. The site is suitable and adequate for the proposed use.
- B. The proposed use and design would not have a substantial adverse effect on traffic circulation and on the planned capacity of the street system.
- C. The proposed use at the location will not adversely affect the peace, health, safety, morals, or welfare of persons residing or working in the surrounding area, or impair the utility or value of property of other persons located in vicinity of site, or be detrimental to public health, safety or general welfare.
- D. The design of the project is compatible with existing and proposed development within the district and its surroundings.

Site Suitability:

The project site is partially developed with a one-story industrial steel/metal building approximately 7,000 sf in size; the balance of the lot is vacant gravel pavement on fairly level grades. Frontage improvements are complete along Depot Street including curb, gutter, sidewalk and street trees. The project proposes to demolish the existing structure and reconstruct the lot with asphalt concrete for the interim surface parking lot. The site is suitable for the proposed parking lot based on its physical characteristics and based on its proximity to Third Street. The interim public parking lot will serve the Third Street Promenade project and the surrounding downtown area. After the interim three-year period elapses, the Downtown Specific Plan proposes a permanent parking structure on the site. Prior to construction of a parking structure, an amendment to the conditional use permit for the interim surface parking lot will be required.

Circulation:

The public parking lot will be located on the east side of Depot Street generally between 3rd and 4th Streets. There are two curb cuts along the Depot Street frontage. The northern curb cut is shown as an egress only driveway and the southern curb cut will provide ingress and egress for the site. Three rows of parking are proposed in the parking lot: two rows of 90° parking along a two-way drive aisle and one row of 45° parking along a one-way drive aisle. As currently designed, a total of 94 parking spaces are provided on-site; the 94 spaces are all 9.50 ft in width. Staff recommends designing the stalls at nine feet in width (the minimum allowed by code) in order to add three additional spaces to the parking lot.

In addition to the plan presented by the applicant, it should be noted that three variations of the parking plan were developed by Staff. For the Commission's reference and discussion, copies of the alternate parking plans are provided. A comparison of the pros and cons for each plan are also provided in table format for the Commission's reference. With any of the plans presented, the proposed use and design would not have a substantial adverse effect on traffic circulation or on the planned capacity of the street system.

General Welfare:

The proposed use is an interim, three-year public parking lot in the downtown area. The site is currently a gravel-paved lot consisting of a vacant metal industrial building and chain link fencing along the east and south property boundaries. Surrounding uses include a public parking lot to the north, railroad tracks to the east, a lumber yard to the south, and mixed-use designated land to the west. Public Works proposes to retain the existing chain link fence that separates the project site from the adjacent lumber yard and restricts pedestrian crossings at the railroad tracks. However, as discussed in greater detail below, Staff recommends replacing the fence along the railroad frontage to match the existing fence located on the parking lot site to the north. Staff also recommends the installation of two small directional signs pointing pedestrians in the direction of the designated railroad pedestrian crossing, similar to the existing signs to the north (see attached photographs). With implementation of the safety fence and pedestrian crossing signs, the proposed use is not anticipated to create any adverse impacts on neighboring uses or on persons residing in the community.

Design Compatibility:

The project proposes the construction of a public parking lot consisting of approximately 90 parking spaces. Site improvements will include striping, new parking lot lights, and underground pipes and bio-swales for on-site detention. The bio-swales will be delineated by raised curbs and will consist of medium to large-sized cobblestones. The current plans do not include any on-site landscaping. However, given the interim nature of the surface parking lot and its location between an existing parking lot and lumber yard, the design of the proposed parking lot is not anticipated to conflict with the surrounding built environment. Also, as mentioned above, Staff recommends replacing the existing chain link fence along the railroad frontage which is currently galvanized chain link with barbed wired on top with a six-foot high, black vinyl-coated chain link/cyclone fence to match the existing fence to the north.

RECOMMENDATION

Staff believes the findings required for approval of a Conditional Use Permit can be made for the construction of an interim public parking lot at 17130 Depot Street. Staff recommends approval of use permit application, UP-08-10: Depot – City of Morgan Hill (Parking Lot), subject to the findings and conditions of the attached resolution.

Attachments:

1. Approval Resolution
2. Letter of Justification and Statement of Proposed Operations
3. Alternate Parking Lot Designs and Comparison Table

RESOLUTION NO. 08-

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MORGAN HILL RECOMMENDING
APPROVAL OF A CONDITIONAL USE PERMIT TO
CONSTRUCT AN INTERIM PUBLIC PARKING LOT
ON AN APPROXIMATE ONE ACRE SITE LOCATED
AT 17130 DEPOT STREET IN THE CC-R, CENTRAL
COMMERCIAL-RESIDENTIAL ZONING DISTRICT
(APN 726-13-047)**

WHEREAS, such request was considered by the Planning Commission at their regular meeting of October 14, 2008, at which time the Planning Commission recommended approval of application UP-08-10: Depot – City of Morgan Hill (Parking Lot); and

WHEREAS, testimony received at a duly-noticed public hearing, along with exhibits and drawings and other materials have been considered in the review process.

**NOW, THEREFORE, THE MORGAN HILL PLANNING COMMISSION DOES
RESOLVE AS FOLLOWS:**

- SECTION 1.** The proposed project is consistent with the Zoning Ordinance and the General Plan.
- SECTION 2.** The project is categorically exempt from CEQA under Section 15304(e), Minor Alterations to Land, and Section 15311(b), Accessory Structures.
- SECTION 3.** The proposed conditional use has been found consistent with the criteria for use permit approval contained in Section 18.54.050 of the Zoning Code.
- SECTION 4.** The Planning Commission recommends that the project be subject to the conditions identified in the Conditions of Approval attached hereto as exhibit "A", and by this reference incorporated herein.
- SECTION 5.** The Planning Commission hereby recommends approval of a conditional use permit for the construction and operation of an interim, surface public parking lot at 17130 Depot Street.

**PASSED AND ADOPTED THIS 14TH DAY OF OCTOBER 2008, AT A REGULAR
MEETING OF THE PLANNING COMMISSION BY THE FOLLOWING VOTE:**

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ATTEST:

APPROVED:

FRANCES O. SMITH, Deputy City Clerk

SUSAN KOEPP-BAKER, Chair

A F F I D A V I T

I, **Jim Ashcraft, Director of Public Works**, applicant, hereby agree to accept and abide by the terms and conditions specified in this resolution.

Jim Ashcraft, Director of Public Works
Applicant

Date: _____

EXHIBIT A
CONDITIONS OF APPROVAL

1. The Conditional Use Permit approval for the interim, surface public parking lot shall be valid for a period not to exceed three years. Any extension of this three-year timeframe shall require an amendment to this Conditional Use Permit.
2. All parking stalls shall be designed at nine feet in width.
3. Replace the existing galvanized chain link fence along the railroad frontage with a new fence to match the existing black vinyl-coated chain link/cyclone fence located on the parking lot site to the north. Also install two small directional signs pointing pedestrians in the direction of the designated railroad pedestrian crossing, similar to the existing signs to the north.
4. Submit two (2) signed copies of Resolution No. 08-__ to the Planning Division prior to issuance of building permits.

(End)



PUBLIC WORKS DEPARTMENT
100 EDES COURT
MORGAN HILL, CA 95037-5301
ENGINEERING: 408-776-7337
MAINTENANCE: 408-776-7333
FAX: 408-779-6282
WWW.MORGAN-HILL.CA.GOV

October 7, 2008

City of Morgan Hill
Community Development
17555 Peak Avenue
Morgan Hill, Ca 95037

Re: 17130 Depot Street - 3 year Interim Public Parking Lot
Letter of Justification and
Statement of Proposed Operations

Dear Ms. Tolentino:

Justification

The subject property is located at 17130 Depot Street between 3rd and 4th Street in the Downtown area; the project proposes to provide a 3-year interim public parking lot, which will provide about 90 public parking stalls. The site is 102 feet wide by 402 feet long, and the grades are fairly level, which makes the site suitable and adequate for the proposed use.

The proposed parking lot will maintain the two existing driveways on the north and to the south ends of the lot along Depot Street, which will not have an adverse effect on the traffic circulation and on the planned capacity of the street system.

Third Street Promenade project proposing to enhance Third Street but will lose about 50% (25 spaces) parking in the process, the purpose of the proposed parking lot is to provide parking for those lost on Third Street's enhancement as well as additional public parking for the Downtown area. The proposed parking lot will not:

- a. Adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area; or
- b. Impair the utility or value of property of other persons located in the vicinity of the site;
or
- c. Be detrimental to public health, safety or general welfare.

To the north of the project is the Train Station parking lot, to the south is a lumber yard, and to the west are Depot, 3rd and 4th Street Downtown businesses. The addition of the parking lot will be compatible with the existing area and the proposed Third Street Promenade development within Downtown and its surroundings.

The proposed parking lot will not allow retail sales of groceries, food, or beverage items upon automobile service station on the premises.

Statement of Proposed Operations

We are requesting a Conditional Use Permit for 17130 Depot Street for the use of a three year interim public parking lot, which will provide about 90 parking spaces for the surrounding downtown area to use. The parking lot will also supplement the 25 lost parking spaces from the development of the Third Street Promenade.

The hours of operation are to be 24 hours a day Monday through Sunday.

The parking lot itself will not specifically generate daily trips as it will serve as public parking lot for the surrounding businesses.

Please call if you have any questions or comments.

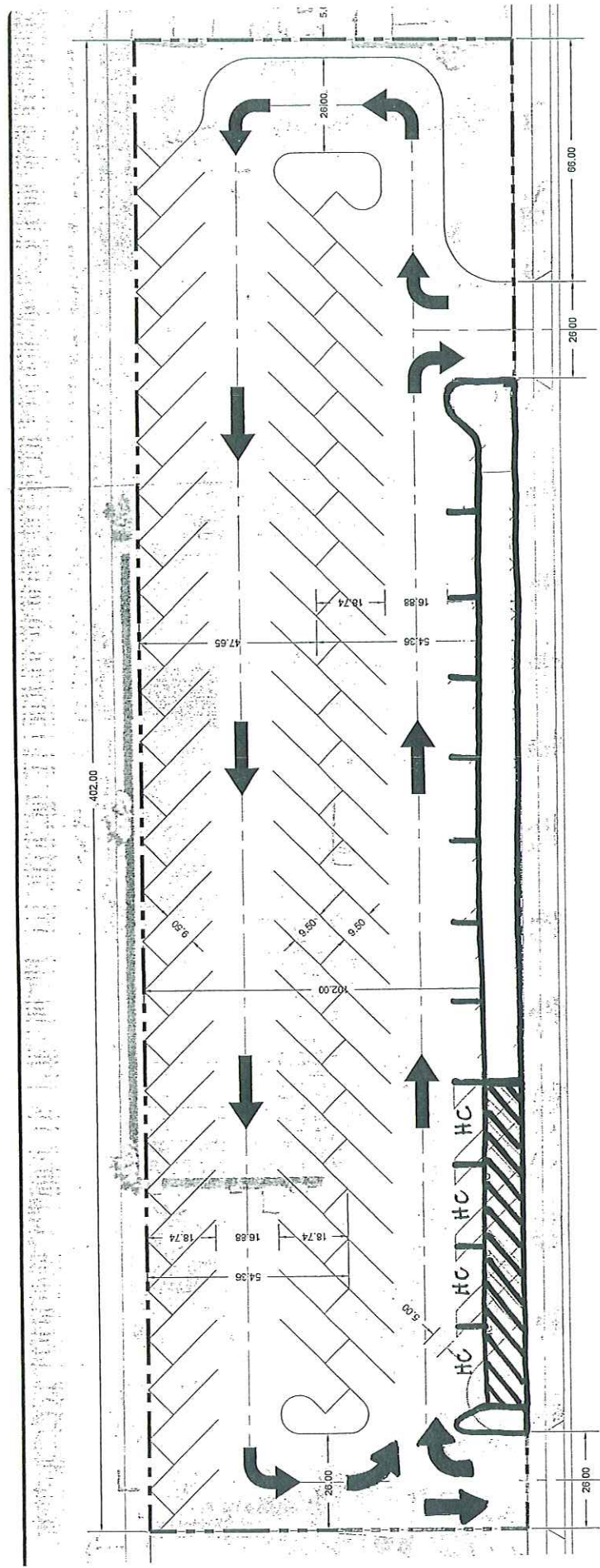
Sincerely,

Charlie Ha
Assistant Engineer
Public Works Department

COMPARISON TABLE OF PARKING LOT DESIGNS

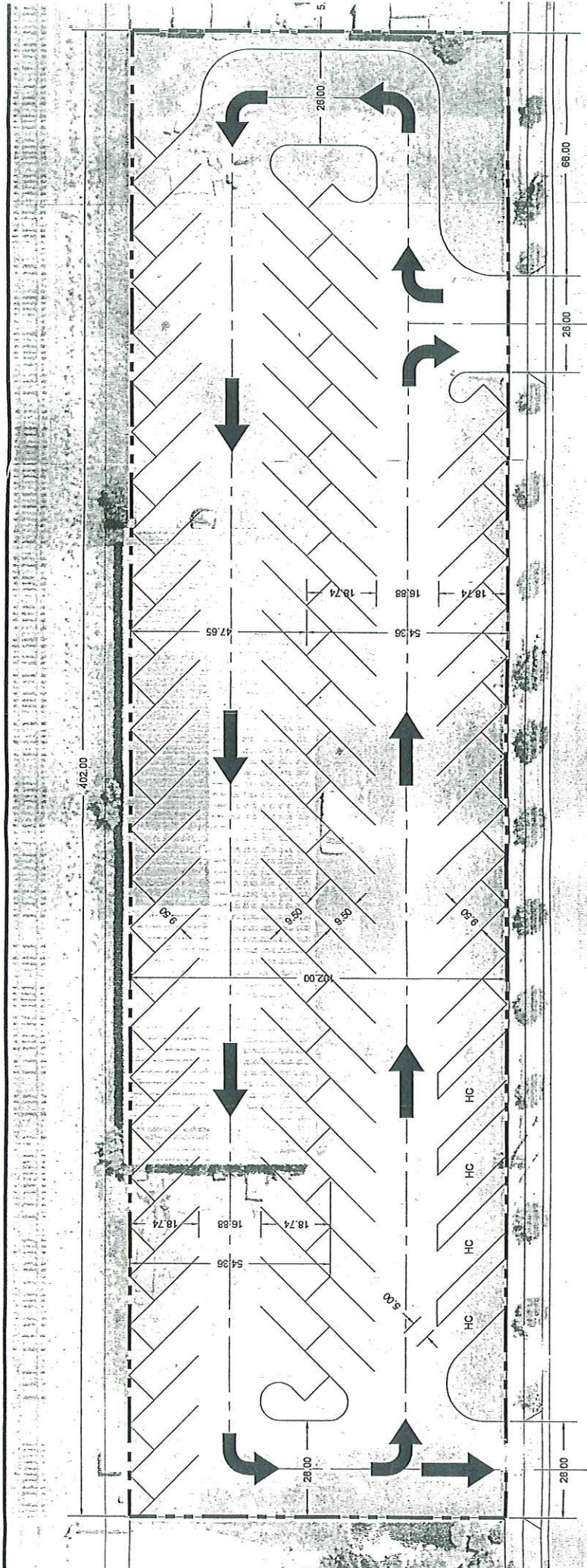
PARKING PLAN	PROS	CONS	NUMBER OF STALLS*	RECOMMENDATIONS IF SELECTED
Proposed	<p>Allows two-way circulation for portion of site.</p> <p>Two-way circulation allows passing lane, minimizing possible congestion in parking lot.</p>	<p>Does not allow looping circulation entirely on-site when driving in counter-clockwise direction (must exit parking lot and re-enter site to park in 45° stalls).</p> <p>No raised curb/planter at either end of center row of parking to protect parked vehicles.</p> <p>16-ft deep stalls in center row of parking (utilizes 2-ft overhang)</p>	97	Design all stalls at 9 ft in width.
Alternate A	<p>Allows complete looping circulation entirely on-site.</p> <p>Two points of access.</p>	<p>One-way lanes may cause queuing of vehicles if travel lane obstructed.</p> <p>Fewer parking stalls in comparison to proposed plan.</p>	90	<p>Design all stalls at 9 ft in width.</p> <p>Add raised curb/planter at northeast corner of site.</p>
Alternate B	<p>Allows complete looping circulation entirely on-site.</p> <p>Allows two points of access.</p> <p>Direction of angled parking consistent throughout site.</p>	<p>One-way lanes may cause queuing of vehicles if travel lane obstructed.</p> <p>No buffer between vehicles and Depot Street sidewalk; bumpers may overhang into public right-of-way.</p>	96	<p>Design all stalls at 9 ft in width.</p> <p>Add raised curb/planter at northeast corner of site.</p>
Alternate C	<p>Allows two-way circulation throughout site.</p> <p>Two-way circulation allows passing lane, minimizing possible congestion in parking lot.</p> <p>18-ft deep stalls in center row of parking.</p>	<p>No raised curb/planter at north end of center row of parking to protect parked vehicles.</p> <p>Fewer parking stalls in comparison to proposed plan.</p>	93	Design all stalls at 9 ft in width.

* Note: Plans actually show fewer parking spaces because stalls are drawn at a width of 9.5 ft. The number of stalls listed in the table represents an approximate number based on a plan with nine-ft wide stalls.



DEPOT STREET

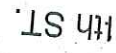
ALTERNATE PARKING LOT DESIGN: A



DEPOT STREET

ALTERNATE PARKING LOT DESIGN: B

402.00'





MEMORANDUM

Date: OCTOBER 28, 2008
To: PLANNING COMMISSION
From: COMMUNITY DEVELOPMENT DEPARTMENT
Subject: RESIDENTIAL DEVELOPMENT CONTROL SYSTEM – THIRD QUARTERLY
REPORT FOR 2008

REQUEST

This RDCS Quarterly Report is presented to the Planning Commission, as required by Section 18.78.150 of the Municipal Code, to allow the Commission to review the progress of Residential Development Control System (RDCS) approved projects and if necessary, make recommendations to the City Council regarding the rescission of building allotments.

RECOMMENDATION

- 1) Staff recommends that the Planning Commission approve the RDCS Quarterly Report by minute action.

PROJECT ASSESSMENT

REPORT OBJECTIVES

The purposes of the RDCS Quarterly Report are to monitor the progress of approved projects, and where satisfactory progress is not being made, to take actions, which can result in the rescission and redistribution of building allotments to projects, which can be completed within required time frames.

PROGRESS OF PROJECTS

Entitlements Pending

The following project phases are classified as being BEHIND SCHEDULE:

Tilton-Glenrock (MP-02-03) This project was scheduled to obtain building permits for 20 units by June 1, 2008 and submit for building plan check for 15 units by June 15, 2008.

Depot-The Granary (MC-05-12) This project was scheduled to submit for Final Map and Site Review by February 1, 2008, and obtain building permits by July 1, 2008 (hard-deadlines).

Barrett-Odishoo (MC-04-13) This project was scheduled to obtain building permits by September 30, 2008. It has a commence construction date of November 30, 2008. Applicant has been advised by letter dated September 19, 2008.

Diana-Chan (MC-04-04) The recommended schedule for 2007-08 projects had a Final Map submittal date of Feb. 1, 2007 and a Building Permit submittal of July 1, 2007 (hard deadlines). The recommended schedule for 2008-09 projects had a Final Map submittal date of Feb. 1, 2008, and a hard-deadline for Building Permit submittal of July 1, 2008. Additionally, the 2009-2010 allotments were required to submit for Subdivision, Zoning and Development Agreements by July 1, 2008. The applicant applied for a Subdivision and Development Agreement in June 2006, but the applications were incomplete and were never approved. (Applicant failed to provide a Phase 2 Soils Report and an Arborist Report to the environmental consultant.)

Ginger (Taylor)-Murray (MMC-04-09) This project lost its 2007-08 allotments, as they were unable to commence construction by June 30, 2008. The recommended schedule for the 2008-09 project had a Final Map submittal deadline of Feb. 1, 2007. Their Environmental Assessment report is complete and in its 20-day circulation. The Zoning Amendment, Subdivision and Development Agreement and the Development Schedule are in process and scheduled for the Oct. 28, 2008 PC meeting.

E. Third-Glenrock (MC-05-11) The recommended schedule had a Zoning Amendment, Subdivision and Development Agreement submittal deadline of Sept. 4, 2007 (13 mos. behind), a Final Map and Site Review submittal of Feb 1, 2008 (8 mos. behind) and a hard deadline for issuance of permits by Sept. 2, 2008. (Applicant will be notified by certified mail.)

Monterey-Sherman (MC-05-04) The recommended schedule had a Zoning Amendment, Subdivision and Development Agreement submittal deadline of Sept. 1, 2008. (Applicant will be notified by certified mail.)

These deadlines have not been met. Applicants have been notified by certified mail.

Construction Pending/Completed

Since the last report, RDCS projects have secured 11 building permits, and completed construction of 56 homes.

Projects Completed

The following projects or project phases have completed their units and will no longer be reported: Sunnyside-Quail Creek (MP-02-24) FY 2004-05; Barrett-Odishoo (MP-02-22) FY 2005-06; Cochrane-Borello (MP-03-04) FY 2006-07; Barrett-Odishoo (MC-04-13) FY 2006-07.

BUILDING ALLOTMENT DISTRIBUTION

In accordance with Section 18.78.030 of the Municipal Code and City Council policy, the Planning Commission is charged with the distribution of building allotments under the City's Residential

Development Control System. Staff has included tables, which illustrate the availability and anticipated utilization of allotments from the "partially completed" "micro", "small vertical mixed use", "downtown area open market," "small project competition," and "Measure F" set asides are also included. The tables have been updated to reflect the completion of Affordable Set-aside projects. The Partially Completed and Ongoing Projects category has been revised to include only projects where allotments have not been distributed.

PROJECTED POPULATION ESTIMATE

As of this quarterly report, the future projected population for the City of Morgan Hill will be 41,730. This figure includes California Department of Finance population estimates for January 1, 2008, the dwelling units under construction, and the build out of all allocated units under the RDCS.

AFFORDABILITY LEVELS

In the 2007 calendar year 170 dwelling units were finalized. The following gives a breakdown of their levels of affordability:

Affordability Level	Number of Units	Percentage
Very Low	54	32%
Low (includes 2 Secondary Dwelling Units)	5	2%
Median	2	1%
Moderate	20	12%
Above Moderate	89	53%
Total	170	100%

CONCLUSION/RECOMMENDATIONS

The Commission is asked to review the Quarterly Report and approve it by minute action.

Attachments:

- Table Illustrating Progress of Projects
- Tables Illustrating Availability/Use of "Partially Completed", "Affordable," "Micro," "Small Vertical Mixed Use," "Downtown Area Open Market," "Small Project Competition," and "Measure F"
- Table Showing Distribution of Allotments for Fiscal Years 2007-2011
- Table Showing Progress of Submittal Deadlines

RDCS PROJECTS - FISCAL YEAR 2004-05 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	DATE OF MOST RECENT ACTION/ENTITLEMENT	NEXT STEP/DEADLINE
Sunnyside-Quail Creek (MP-02-24)	3/23/04	4	4	4	3Q/08 Finald 1 unit	PROJECT COMPLETE Complete construction
Supplemental Distribution						
Hill-Gera (MP-02-17)	3/22/04	6	6	0	2Q/06-pulled 6 permits	
TOTALS		10	10	4		

RDCS PROJECTS - FISCAL YEAR 2005-06 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	DATE OF MOST RECENT ACTION/ENTITLEMENT	NEXT STEP/DEADLINE
Barrett-Ditri (MP-02-20)	5/27/03	9	9	7	3Q/08 Finald 1 units	Complete construction
Hill-Gera (MP-02-17)	4/13/04	3	3	0	3Q/06 pulled 3 permits	Complete construction
Barrett-Odishoo (MP-02-22)	4/13/04	5	5	5	3Q/08 Finald 3 units	PROJECT COMPLETE
Native Dancer-Quail Meadows (MMP-03-01)	4/22/03	4	2	1	3Q/08 Submitted app for DSA	9/30/08 - obtain BP 6/30/09 - commence construction
TOTALS		21	19	13		

RDSCS PROJECTS - FISCAL YEAR 2006-07 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	DATE OF MOST RECENT ACTION/ENTITLEMENT	NEXT STEP/DEADLINE
Tilton-Glenrock (MP-02-03)	5/27/03	20	0	0	3Q/08 Application for DAA and DSA submitted	BEHIND SCHEDULE 6/1/08 obtain BP (letter sent 6/2/08)
Peet-Lupine Investors (MP-02-12)	5/27/03	12	12	7	3Q/08 finalized 3 units	Complete construction
Peet-Lupine Investors (MC-04-25)	3/1/05	18	0	0	3Q/08 DAA approved	1/30/09 - FM submittal due
Mission View-Mission Ranch (MC-04-26)	3/1/05	18	18	17	3Q/08 finalized 4 units	Complete construction
Cochrane-Borello (MP-03-04)	4/13/04	7	7	7	3Q/08 finalized 1 units	PROJECT COMPLETE
Wright-Dividend (MC-04-27)	3/1/05	6	0	0	3Q/08 DSA approved	4/30/10 FM submittal due
Barrett-Odishoo (MC-04-13)	3/1/05	13	13	13	3Q/08 finalized 2 units	PROJECT COMPLETE
Central-Delco (MC-04-14)	3/1/05	19	19	17	3Q/08 finalized 15 units	Complete construction
E. Main-Thrust (MC-04-19)	3/1/05	13	0	0	3Q/08 DSA approved	5/31/09 Obtain BP
Jarvis-South Valley Developers (MC-04-22)	3/1/05	36	18	2	3Q/08 DSA & DAA filed	9/30/08-obtain 18 BP
Church-Alcini (MC-04-15)	3/1/05	14	0	0	4Q/07-DSA approved	10/30/08 - obtain BP
Del Monte-Giovanni (MMC-04-05)	3/1/05	6	0	0	2Q/08 DSA and DAA approved	3/30/09 - obtain BP
San Pedro-Ahmadi (MMC-04-06)	3/1/05	1	1	0	3Q/07-FM approved, pulled 1 permit	Complete construction
Ginger-Custom One (MMC-04-07)	3/1/05	5	0	0	3Q/08 DSA & DAA approved	6/30/09 Obtain BP
E. Dunne-Kruse (MMC-04-10)	3/1/05	3	0	0	2Q/07-ELBA approved; 3-yr extension granted	2/1/09-FM submittal due
Depot-The Granary (MC-05-12)	2/14/06	6	0	0	2Q/07-ELBA approved; extension granted	BEHIND SCHEDULE 9/4/07 - SD & DA due; 2/1/08 - FM & SR due; 3/31/08 - obtain BP (ltr sent 8/27/08)
Monterey-Gunter (MC-05-03)	2/14/06	4	0	0	2Q/08 - DSA and DAA approved	2/27/09 - FM submittal due
TOTALS		201	88	63		

RDCS PROJECTS - FISCAL YEAR 2007-08 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	3rd Quarter Comments DATE OF MOST RECENT ENTITLEMENT	NEXT STEP/DEADLINE
Cory-Habitat for Humanity (MP-91-06)	3/24/92	6	0	0	3Q/08 - SR Application approved Final Map Submitted	1/30/09 Obtain BP
San Pedro-Alcini (MC-04-17)	3/1/05	4	0	0	2Q/08 DAA & DSA approved	10/31/08 FM submittal due
Wright-Dividend (MC-04-27)	3/1/05	9	0	0	1Q/08 Final Map approved	9/30/10 Obtain BP
Tilton-Glenrock (MP-02-03)	3/1/05	15	0	0	4Q/07 - Final Map recorded	BEHIND SCHEDULE 6/15/08-BPC submittal due (letter sent 6/15/08)
Barrett-Odishoo-MC-04-13)	3/1/05	5	0	0	2Q/08 DAA/ELBA approved Final Map Approved	BEHIND SCHEDULE 9/30/08 Obtain BP; 11/30/08 Commence Const. (ltr sent 9/19/08)
Central-Delco (MC-04-14)	3/1/05	5	5	3	3Q/08 Finalized 3 units	Complete Construction
E. Main-Thrust (MC-04-19)	3/1/05	5	0	0	4Q/07 - Final Map approved	9/30/09 Obtain BP
Jarvis-South Valley Developers (MC-04-22)	3/1/05	13	0	0	3Q/08 DSA & DAA filed	3/30/09 - obtain BP
Peet-Lupine Investors (MC-04-25)	3/1/05	6	0	0	3Q/08 DAA approved	1/30/10 - FM submittal due
Mission View-Mission Ranch (MC-04-26)	3/1/05	17	0	0	4Q/07-2 allotments added, DSA, DAA approved	1/30/09 BPC submittal due
Barrett-Syncon (MC-04-21)	3/1/05	13	7	1	2Q/08 - finalized 1 unit	4/30/09 Obtain 6 remaining BP
Diana-Chan (MC-04-04)	3/1/05	5	0	0	2Q/07 ZA, SD, DA in process; 8 units transferred to FY 08-09	BEHIND SCHEDULE 2/01/07 Final Map & Site Review submittal due (ltr sent 8/15/08)
Ginger (Taylor)-Murray (MMC-04-09)	3/1/05	2	ALLOTMENTS EXPIRED- Unable to Commence Construction by 6/30/08			
Depot-Granary (MC-05-12)	2/14/06	6	0	0	2Q/07-ELBA approved, extension granted	BEHIND SCHEDULE 9/4/07 SD & DA due; 2/1/08 FM & SR due; 3/31/08 obtain BP
Jarvis-South County Housing (MC-05-02)	2/14/06	54	54	20	3Q/08 finalized 20 units	Complete Construction
Monterey-Alcini (MC-05-05)	2/14/06	27	0	0	4Q/07 DA approved	10/31/08 - FM submittal due
E. Main-Ahlin (MC-05-06)	2/14/06	50	0	0	3Q/08 Final Map Approved	2/28/09 - BPC submittal due; 4/30/09 - obtain BP
TOTALS		242	66	24		

RDCS PROJECTS - FISCAL YEAR 2008-09 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	DATE OF MOST RECENT ACTION/TITLEMENT	NEXT STEP/DEADLINE
San Pedro-Alcini (MP-04-17)	4/6/05	8	0	0	1Q/08 - submitted DSA application	10/31/08 - FM submittal due
Tilton-Glenrock (MP-02-03)	4/6/05	12	0	0	4Q/07 -Final Map recorded	6/15/09 - BPC submittal due
E. Dunne-Dempsey/Delco (MC-04-12)	4/6/05	7	0	0	4Q/07 -Final Map Approved	2/28/10 BPC submittal due
Barrett-Odishoo-MC-04-13)	4/6/05	13	0	0	4Q/07 -Final Map approved	9/30/08 Obtain BP
Central-Delco (MC-04-14)	4/6/05	15	15	0	2Q/08 pulled 15 permits; FM recorded	Complete Construction
E. Main-Thrust (MC-04-19)	4/6/05	8	0	0	2Q/07-DAA approved	4/30/10 FM submittal due
Jarvis-South Valley Developers (MC-04-22)	4/6/05	15	0	0	3Q/08 DSA & DAA filed	6/30/09 Obtain BP
Peet-Lupine Investors (MC-04-25)	4/6/05	12	0	0	3Q/08 DAA approved	1/30/10 - FM submittal due
Mission View-Mission Ranch (MC-04-26)	4/6/05	18	0	0	4Q/07-3 allotments added, DSA, DAA approved	3/15/10 - FM submittal due
Barrett-Syncon (MC-04-21)	4/6/05	5	0	0	4Q/07-DAA, DAA approved	4/30/10 Obtain BP
Diana-Chan (MC-04-04)	4/6/05	13	0	0	3Q/06 ZA, SD, DA in process; 8 units transferred from FY 07-08	BEHIND SCHEDULE 2/1/08 Final Map & Site Review submittal due (ltr sent 8/27/08)
Ginger (Taylor)-Murray (MMC-04-09)	4/6/05	3	0	0	3Q/08 EA complete (in 20-day circulation) ZA, SD, DA & DS scheduled for 10/28 PC Meeting	BEHIND SCHEDULE 2/1/07-FM submittal due; DAA, DSA in process (Letter sent 8/27/08)
Jarvis-South County Housing (MC-05-02)	2/14/06	41	24	0	3Q/08 10 permits issued	9/30/09 Obtain 17 remaining BP
E. Central-Urban Housing (MC-05-09)	2/14/06	12	0	0	3Q/08 Improvement Plans submitted	4/1/09 Obtain BP
Diana-EAH (MC-05-08)	2/14/06	10	0	0	3Q/08 Planning App's submitted	10/30/08 Complete Planning App's 11/25/08 Schedule for PC approval
E. Main-Ahlin (MC-05-06)	2/14/06	43	0	0	3Q/07-ZA, SD, DA, SR approved; FM in process	1/30/10 - FM submittal due; 2/28/10 - BPC submittal due
E. Third-Glenrock (MC-05-11)	2/14/06	12	0	0	1Q/06 allotments awarded	BEHIND SCHEDULE 9/4/07-ZA, SD, DA submittals due; 2/1/08 Final Map and Site Review submittals due; 7/1/08 Building Plan Check submittal due; 9/2/08 obtain BP's (hard deadlines)
TOTALS		247	39	0		

RDCS PROJECTS - FISCAL YEAR 2009-10 ALLOTMENT

PROJECT & FILE #	ALLOCATION DATE	# OF UNITS	PERMITS ISSUED	UNITS FINALED	DATE OF MOST RECENT ACTION/ENTITLEMENT	NEXT STEP/DEADLINE
Monterey-Gunter (MC-05-03)	3/1/06	11	0	0	2Q/08 - DSA and DAA approved	3/30/09 - SR application submittal due
E. Central-Urban Housing (MC-05-09)	3/1/06	37	0	0	1Q/08 - DA approved	9/30/09 - FM submittal due
Diana-EAH (MC-05-08)	3/1/06	70	0	0	3Q/08 Planning App's submitted	10/30/08 Complete Planning App's 11/25/08 Schedule for PC approval
E. Main-Ahlin (MC-05-06)	3/1/06	6	0	0	3Q/07-SA, SD, DA, SR approved	1/30/10 - FM submittal due
E. Third-Glenrock (MC-05-11)	3/1/06	43	0	0	3/1/06-allotments awarded	BEHIND SCHEDULE 9/4/07-ZA, SD, DA submittals due; 2/1/08 Final Map and Site Review submittals due
Diana-Chan (MC-04-04)	7/26/06	14	0	0	2Q/07-ZA, SD, DA in process	2/2/09 Final Map & Site Review submittal due
E. Dunne-Dempsey/Delco (MC-04-12)	7/26/06	7	0	0	3Q/08 Final Map approved	4/30/10 BPC submittal due
E. Main-Thrust (MC-04-19)	7/26/06	8	0	0	3Q/08 DSA approved	4/30/10 FM submittal due
Barrett-Syncon Homes (MC-04-21)	7/26/06	14	0	0	1Q/07-SR approved	1/30/10 - FM submittal due
Jarvis-South Valley Developers (MC-04-22)	7/26/06	14	0	0	3Q/08 DSA & DAA filed	9/30/2009 - obtain BP
Mission View-Mission Ranch (MC-04-26)	7/26/06	15	0	0	4Q/07-DSA, DAA approved	5/15/10 - FM submittal due
Monterey-Sherman House (MC-05-04)	2/14/06	7	0	0	2/14/06 allotments awarded; 2Q/07 7 units transferred from 08-09	BEHIND SCHEDULE 9/1/08 ZA, SD, DA submittals due
Myrtle-Latala (MMC-07-03)	2/26/08	3	0	0	3Q/08 DSA & DAA approved	10/31/09 FM submittal due
Monterey-Sherman House (MF-07-01)	2/26/08	23	0	0	1Q/08 - 23 allotments awarded	
TOTALS		272	0	0		

GRAND TOTALS FOR ALL RDCS PROJECTS	993	222	104	
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Note: For calendar year 2008 YTD (including non-RDCS projects), permits for 57 dwelling units have been issued and 1 secondary dwelling unit has been issued for a total of 58 dwelling units; 117 units have been finalized; and 2 units have been demolished.*

SETASIDE STATUS**PARTIALLY COMPLETED AND ONGOING PROJECTS**

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2004-05	<u>6</u>	<u>6</u>	<u>0</u>
Totals	6	6	0

AFFORDABLE SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2007-08	54	54	0
FY-2008-09	53	53	0
FY-2009-10	<u>37</u>	<u>37</u>	<u>0</u>
Totals	144	144	0

MICRO SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2006-07	15	15	0
FY-2007-08	2	2	0
FY-2008-09	3	3	0
FY-2009-10	<u>3</u>	<u>3</u>	<u>0</u>
Totals	23	23	0

SMALL VERTICAL MIXED USE SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2006-07	10	10	0
FY-2007-08	6	6	0
FY-2008-09	1	1	0
FY-2009-10	<u>17</u>	<u>17</u>	<u>0</u>
Totals	34	34	0

DOWNTOWN AREA OPEN MARKET SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2006-07	14	14	0
FY-2007-08	80	80	0
FY-2008-09	67	67	0
FY-2009-10	<u>119</u>	<u>119</u>	<u>0</u>
Totals	280	280	0

SMALL PROJECT COMPETITION SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2006-07	13	13	0
FY-2007-08	13	13	0
FY-2008-09	<u>8</u>	<u>8</u>	<u>0</u>
Totals	34	34	0

MEASURE F SETASIDE STATUS

<u>Allotment Setaside</u>	<u>Total #</u>	<u>Allocated</u>	<u>Remaining</u>
FY-2009-10	100	23	77

Approved Distribution of Building Allotments for 4th Qtr 2008 - 2nd Qtr 2011

Project/Competition Type	4Q/08	1Q/09	2Q/09	3Q/09	4Q/09	1Q/10	2Q/10	3Q/10	4Q/10	1Q/11	2Q/11	Total
Micro:												
Del Monte - Giovanni (MMC-04-05)			6									6
Ginger - Custom One (MMC-04-07)			5									5
E. Dunne - Kruse (MMC-04-10)			3									3
Taylor-Murray (MMC-04-09)			3									3
Myrtle-L arala (MMC-07-03)							3					3
Small:												
San Pedro - Alcini (MC-04-17)			4+8									12
Wright - Dividend (MC-04-27)									6 + 9			15
Open Market:												
Tilton - Glenrock/Shea (MP-02-03)	20	15	12									47
Diana - Chan (MC-04-04)			18				14					32
Barrett - Odishoo (MC-04-13)	5		13		5				15			18
Central - Hu (MC-04-14)												20
Church - Alcini (MC-04-15)	14											14
E. Main Thrust (MC-04-19)					13+5+8		8					34
Barrett - Syncon Homes (MC-04-21)			13				5+14					32
Jarvis - South Valley Dev (MC-04-22)	18			15	13		14					60
Pett - Lupine Investors (MC-04-25)			18				6+12					36
Mission View - Mission Ranch (MC-04-26)			17				18+15					50
Vertical Mixed Use:												
Monterey-Sherman House(MC-05-04)							7					7
Depot - The Granary (MC-05-12)			6+6									12
Monterey - Gunter (MC-05-03)				4						11		15
Affordable:												
Jarvis-So County Housing (MC-05-02)							17					17
E. Central-Urban Housing (MC-05-09)			12				37					49
Downtown Open Market:												
Monterey-Alcini (MC-05-05)			27									27
Diana-EAH (MC-05-08)			10				70					80
E. Main-Ahlin (MC-05-06)			50				43+6					99
E. Third-Glenrock (MC-05-11)			12				43					55
Monterey - Sherman House (MF-07-01)												23
Totals	57	15	250	19	47		325		30		11	774

No signed development agreement

Reflects Amended Development Schedules, as of Sep. 8, 2008

SUBMITTAL DEADLINES

RDCS PROJECTS - FISCAL YEAR 2004-05 ALLOTMENT

Project & File #	# of Units	Planning App's Submitted	Planning App's Approved	Final Map / Imp. Plans Submitted	Final Map / Imp. Plans Approved	Final Map/ Imp. Plans Recorded	Master Plan Check Submitted	Master Plan Check Approved	Bldg Permits Issued	Const. Commenced
Sunnyside-Quail Creek (MP-02-24)	4	✓	✓	✓	✓	✓	✓	✓	2	2
Hill-Gera (MP-02-17)	6	✓	✓	✓	✓	✓	✓	✓	6	0

RDCS PROJECTS - FISCAL YEAR 2005-06 ALLOTMENT

Project & File #	# of Units	Planning App's Submitted	Planning App's Approved	Final Map / Imp. Plans Submitted	Final Map / Imp. Plans Approved	Final Map/ Imp. Plans Recorded	Master Plan Check Submitted	Master Plan Check Approved	Bldg Permits Issued	Const. Commenced
Barrett-Ditri (MP-02-20)	9	✓	✓	✓	✓	✓	✓	✓	9	9
Hill-Gera (MP-02-17)	3	✓	✓	✓	✓	✓	✓	✓	3	3
Barrett-Odishoo (MP-02-22)	5	✓	✓	✓	✓	✓	✓	✓	5	5
Native Dancer-Quail Meadows (MMP-03-01)	4	✓	✓	✓	✓	✓	NA	NA	2	2

RDCS PROJECTS - FISCAL YEAR 2006-07 ALLOTMENT

Project & File #	# of Units	Planning App's Submitted	Planning App's Approved	Final Map / Imp. Plans Submitted	Final Map / Imp. Plans Approved	Final Map/ Imp. Plans Recorded	Master Plan Check Submitted	Master Plan Check Approved	Bldg Permits Issued	Const. Commenced
Tilton-Glenrock (MP-02-03)	20	✓	✓	✓	✓	✓				
Peet-Lupine Investors (MP-02-12)	12	✓	✓	✓	✓	✓	✓	✓	12	12
Peet-Lupine Investors (MC-04-25)	18	✓	✓	✓	✓		✓	✓		
Mission View-Mission Ranch (MC-04-26)	18	✓	✓	✓	✓	✓	✓	✓	18	18
Cochrane-Borello (MP-03-04)	7	✓	✓	✓	✓	✓	✓	✓	7	7
Wright-Dividend (MC-04-27)	6	✓	✓	✓	✓		✓			
Barrett-Odishoo (MC-04-13)	13	✓	✓	✓	✓	✓	✓	✓	13	13
Central-Delco (MC-04-14)	19	✓	✓	✓	✓	✓	✓	✓	19	19
E. Main-Thrust (MC-04-19)	13	✓	✓	✓	✓					
Jarvis-South Valley Developers (MC-04-22)	36	✓	✓	✓	✓	✓	✓	✓	18	18
Church-Alcini (MC-04-15)	14	✓	✓	✓	✓	✓	✓			
Del Monte-Giovanni (MMC-04-05)	6	✓	✓	✓	✓					
San Pedro-Ahmadi (MMC-04-06)	1	✓	✓	✓	✓	✓	✓	✓	1	1
Ginger-Custom One (MMC-04-07)	5	✓	✓	✓	✓		✓			
E. Dunne-Kruse (MMC-04-10)	3	✓								
Depot-The Granary (MC-05-12)	6									
Monterey-Gunter (MC-05-03)	4	✓								

RDCS PROJECTS - FISCAL YEAR 2007-08 ALLOTMENT

Project & File #	# of Units	Planning App's Submitted	Planning App's Approved	Final Map / Imp. Plans Submitted	Final Map / Imp. Plans Approved	Final Map / Imp. Plans Recorded	Master Plan Check Submitted	Master Plan Check Approved	Bldg Permits Issued	Const. Commenced
Cory-Habitat for Humanity (MP-91-06)	6	✓	✓	✓						
San Pedro-Alcini (MC-04-17)	4	✓	✓							
Wright-Dividend (MC-04-27)	9	✓	✓	✓	✓		✓			
Tilton-Glenrock (MP-02-03)	15	✓	✓	✓	✓	✓				
Barrett-Odishoo-MC-04-13)	5	✓	✓	✓			✓			
Central-Delco (MC-04-14)	5	✓	✓	✓	✓	✓	✓	✓	5	5
E. Main-Thrust (MC-04-19)	5	✓	✓	✓	✓		✓			
Jarvis-South Valley Developers (MC-04-22)	13	✓	✓	✓	✓	✓	✓	✓		
Peet-Lupine Investors (MC-04-25)	6	✓	✓				✓	✓		
Mission View-Mission Ranch (MC-04-26)	17	✓	✓	✓	✓		✓	✓		
Barrett-Syncon (MC-04-21)	13	✓	✓	✓	✓	✓	✓	✓	7	7
Diana-Chan (MC-04-04)	5	✓								
Ginger (Taylor)-Murray (MMC-04-09)	2					Allotments Expired				
Depot-Granary (MC-05-12)	6									
Jarvis-South County Housing (MC-05-02)	54	✓	✓	✓	✓	✓	✓	✓	54	54
Monterey-Alcini (MC-05-05)	27	✓	✓							
E. Main-Ahlin (MC-05-06)	50	✓	✓	✓	✓		✓			

RDCS PROJECTS - FISCAL YEAR 2008-09 ALLOTMENT

[illegible]

RDCS PROJECTS - FISCAL YEAR 2009-10 ALLOTMENT

[illegible]



MEMORANDUM

To: PLANNING COMMISSION

Date: October 14, 2008

From: COMMUNITY DEVELOPMENT DEPARTMENT

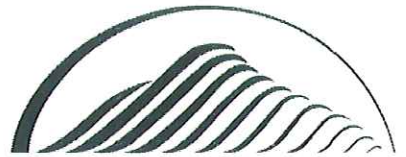
Subject: HOLIDAY MEETING SCHEDULE

REQUEST

Staff would like the Planning Commission to review and discuss its meeting schedule for November and December. This will enable staff to notify applicants of the upcoming meeting dates and the scheduling of projects for Commission review in accordance with any adjusted meeting schedule. The regular Planning Commission meeting dates in November are on the 11th and 25th. November 11 is a Federal holiday, Veterans Day. City offices are open for business that day so it is possible for the Planning Commission to conduct a meeting on this regular meeting date. Section 2.36.30 of the Municipal Code requires the Planning Commission to hold regular meetings at least twice a month or as otherwise deemed necessary by the Commission. The Municipal Code does not specify on which days Planning Commission meetings must be held so the Commission could select another day of the week to avoid meeting on Veterans Day. The Council Chambers are available the following evening, Wednesday, November 12, 2008.

The regular Planning Commission meeting dates in December are on the 9th and the 23rd. City offices will be close Wednesday December 24 through Friday, January 2, 2009 for the City's annual holiday work furlough. In past years, the Commission has canceled its second meeting in November and December due to the Thanksgiving and Christmas holidays and City work furlough. This year the work furlough begins after the second regular meeting date in December so it is possible for the Commission to conduct a regular meeting on December 23 if necessary or desired. This year, staff has tentatively scheduled public hearings for the RDCS competitions to be held on December 9 and following evening, December 10, 2008. Twelve RDCS applications were filed on October 1 for the upcoming competitions. (See separate agenda item).

It is requested that the Planning Commission indicate whether it wishes to adjust its November and December meeting schedule so that staff can schedule projects and notify applicants accordingly.



CITY OF MORGAN HILL

MEMORANDUM

To: PLANNING COMMISSION

Date: October 14, 2008

From: COMMUNITY DEVELOPMENT DEPARTMENT

**Subject: SCHEDULE FOR REVIEW OF PROJECT APPLICATIONS FOR THE
UPCOMING RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS)
AFFORDABLE, DOWNTOWN, OPEN/MARKET RATE, SMALL
VERTICAL MIXED USE, SMALL PROJECT AND MULTI-FAMILY
RENTAL PROJECT COMPETITIONS**

REQUEST

Attached is the proposed schedule for processing this year's RDCS project applications. The public hearings on each application are tentatively scheduled for the second week in December. The filing deadline for the competition was October 1. As of that date, staff had received 12 applications for this year's competition. Two of the applications are Micro Projects requesting 5 building allocations. The Commission only reviews Micro Projects when the number of allotments requested exceeds the available allotment in the set-aside. Six allocations are available in the Micro set-aside so it will not be necessary for the Commission to review the staff evaluations for this year's Micro Projects. Staff will schedule public hearings for the other 10 applications for review at the regular Planning Commission meeting on December 9, 2008. In past years, public hearings for the remaining applications would have been conducted at a special meeting scheduled for the following week (Tuesday, December 16). However, the Parks and Recreation Commission have its regular meeting on the third Tuesday of the month, December 16. As an alternative, staff recommends the Commission hold a special meeting the following evening, Wednesday December 10, 2008. Public hearings on the applications not considered on December 09 would be conducted on that date. The Commission would approve the award and distribution of building allotments at its regular meeting on February 11, 2009 following the resolution of any appeals before the City Council. The Council appeal hearings, if needed, will be conducted on February 4, 2009.

The RDCS project plans and narratives will be distributed to the Planning Commission on November 25, 2008. A report containing the staff recommendation on the RDCS evaluations will also be distributed to the Commission on this date.

RECOMMENDATION: Approve the attached schedule by minute action.

Attachment: RDCS Review Schedule



MEMORANDUM

To: PLANNING COMMISSION

Date: October 14, 2008

From: COMMUNITY DEVELOPMENT DEPARTMENT

**Subject: SCHEDULE FOR REVIEW OF PROJECT APPLICATIONS FOR THE
UPCOMING RESIDENTIAL DEVELOPMENT CONTROL SYSTEM
COMPETITIONS**

<u>DATE</u>	<u>SUBJECT</u>
10-01-08	Deadline for filing project applications. Planning staff will review applications for completeness and make findings of consistency with the General Plan.
10-08-09	Distribute applications and project narratives to staff for scoring.
10-15-08	Staff completes reviews of project applications. Letters regarding project consistency with the General Plan and Zoning are mailed to each applicant upon completion of review.
11-05-08	Staff DRC meeting to prepare tentative point scores. This will be a full day meeting (9:00 a.m. to 4:00 p.m.) at the Community and Cultural Center.
11-06-08	Second day DRC meeting, if necessary, to complete project scoring; 9:00 a.m. to noon at the Community and Cultural Center.
11-10-08	Meeting with applicants to hear presentations on project proposals. A question and answer session will follow each presentation. This will be a full day meeting with approximately 20 minutes of time allocated to each project. (8:30 a.m. to 4:00 p.m.)

- 11-12-08 DRC meeting to "finalize," point score recommendation. (8:00 a.m. to 2:00 p.m. at City Hall)
- 11-19-08 Staff deadline to submit completed Project Narrative Questionnaires with point recommendations to Planning.
- 11-25-08 Distribute project plans and standards and criteria for evaluation to the Planning Commission for review and consideration.
- 11-25-08 Distribute memorandums to the Planning Commission and applicants regarding the staff evaluations and point recommendations. Applicants may provide a written response to the memo. Letters received by December 5, 2008, will be included in the Planning Commission agenda packet. Letters received after December 5 will be provided to the Commission the night of the RDCS meetings.
- 12-09-08 Public hearings before the Planning Commission to receive testimony on the recommended point scores under parts one and two of the RDCS standards and criteria. Meeting will begin at 5:00 PM. **(Note special meeting date and time)**
- 12-10-08 Second Planning Commission meeting to conduct the remaining public hearings. (If necessary)
- 12-19-08 Distribute memorandum to the Planning Commission responding to the Commission comments, applicant comment letters and staff recommended scoring adjustments.
- 1-13-09 Planning Commission meeting to receive testimony on the final staff point recommendations. Planning Commission will approve any adjusted scores on this date.
- 1-14-09 Distribute memorandum with adjusted project evaluation scores. Notice of Evaluation is mailed to each applicant starting a 15-day appeal period.
- 2-04-09 City Council meeting to consider appeals of the project scoring. Should any appeals be granted, the City Council would adopt a resolution approving modifications to the project evaluations.
- 2-10-09 Planning Commission approves final scores and the award and distribution of building allocations according to housing types.
- 2-11-09 Follow-up letters to all applicants advising of final scores and confirming award of allotments.



MEMORANDUM

To: Planning Commission
Date: October 14, 2008
From: Business Assistance and Housing Services Department *EO for BAHSS Div.*
Subject: Biannual Vacancy Survey

REQUEST Accept the survey results and establish the vacancy rate for October 2008.

RECOMMENDATION It is recommended that the Planning Commission accept the survey results which establish the vacancy rate for October 2008 at **1.55%**.

BACKGROUND: According to the Morgan Hill Municipal Code, Chapter 17.36 relating to Condominium Conversions, the apartment vacancy rate shall be determined in April and in October of each year on the basis of a representative sampling of apartment buildings. The vacancy rate survey must be submitted and accepted by both the Planning Commission and the City Council.

The most recent multi-family housing estimates from the State Department of Finance indicate a total of 1,895 multi-family units. Survey results account for over 50% of all such units; senior housing units are not included in the sampling but are included as supplemental information. Also, for general information purposes, included is a brief summary of current rental rates as compared to rent rates reported six months ago.



BIANNUAL VACANCY RATE SURVEY

October-08

PROJECT	# OF UNITS	4/1/2008 RENT	VACANT 4/1/2008	10/1/2008 RENT	VACANT 10/1/2008
COCHRANE VILLAGE	16 UNITS*	(408) 778-7318			
1 BDRM	2	\$932	0	\$942	0
2 BDRM	8	\$1,007 - \$1,101	1	\$1,017 - \$1,111	0
3 BDRM	5	\$1,267	1	\$1,277	0
4 BDRM	1	\$1,401	0	\$1,414	0
COUNTRY REALTY	53 UNITS	(408) 778-1330			
2 BDRM.	27	\$1,025 - \$1,125	0	\$1,025 - 1,125	0
3 BDRM	4	\$1,750	1	\$1,750	0
CREST AVE. APT	28 UNITS*	(408) 842-5484			
2 BDRM.	28	\$975	0	\$975	0
DEPOT COMMONS	12 UNITS*	(408) 842-5484			
(Co-housing)					
STUDIO	12	\$475	1	\$475	1
JASMINE SQUARE	71 UNITS*	(408) 842-5484			
1 BDRM	24	\$572 - \$773	0	\$572-\$773	1
2 BDRM	26	\$683 - \$912	0	\$683-\$912	0
3 BDRM	19	\$788 - \$1,105	0	\$788-\$1105	0
4 BDRM	2	\$1,290	0	\$1,290	0
LA CROSSE VILLAGE	80 UNITS	(408) 779-6577			
1 BDRM	16	\$1,350 - \$1,400	3	\$1,350 - \$1,400	0
2 BDRM.	64	\$1,500 - \$1,620	6	\$1,500 - \$1,620	4

PROJECT	# OF UNITS	4/1/2008 RENT	VACANT 4/1/2008	10/1/2008 RENT	VACANT 10/1/2008
LAS CASAS DE SAN PEDRO	64 UNITS	(408) 779-4465			
1 BDRM.	10	\$1,100 - \$1,125	0	\$1,145 - \$1,175	0
2 BDRM. (Downstairs)	22	\$1,350	0	\$1,375	0
2 BDRM. (Upstairs)	22	\$1,250	0	\$1,275	0
2 BDRM. (Cottage)	10	\$1,450	0	\$1,450	0
MONTE VISTA	137 UNITS	(408) 779-8986			
1 BDRM.	58	\$1,390 - \$1,445	2	\$1,460 - \$1,565	1
2 BDRM	79	\$1,525 - \$1,725	5	\$1,635 - \$1,735	0
MORGAN HILL APTS	25 UNITS	(408) 779-1271			
STUDIO	3	\$595	0	\$595	0
1 BDRM	19	\$745	0	\$745	0
2 BDRM	3	\$825 - \$875	0	\$825-\$875	0
MORGAN HILL RANCH FAMILY	80 UNITS*	(408) 778-7318			
1 BDRM	14	\$679 - \$856	1	\$689 - \$866	0
2 BDRM	32	\$796 - \$1,107	0	\$806 - \$1,017	0
3 BDRM	31	\$911 - \$1,156	0	\$921 - \$1,166	0
4 BDRM	3	\$1,009	0	\$1,019	0
MURPHY RANCH I	62 UNITS*	(408) 782-2084			
2 BDRM	32	\$460 \$1,140 - \$1,379	0	\$460 - \$1,140 - \$1,379	1
3 BDRM	24	\$533-\$1,314-\$1,590	0	\$533 - \$1,314 - \$1,590	0
4 BDRM	6	\$591-\$1,454-\$1,762	0	\$591 - 1,454 - \$1,762	0
MURPHY RANCH II	38 UNITS*	(408) 782-2084			
2 BDRM	12	\$1,140 - \$1,379	0	\$1,140 - \$1,379	0
3 BDRM	24	\$1,533 - \$1,590	0	\$1,533 - \$1,590	1
4 BDRM	2	\$1,454 - \$1,762	0	\$1,454 - \$1,762	0
QUAIL RIDGE	27 UNITS	(408) 779-9325			
1 BDRM	10	\$1,125	0	\$1,125	0
2 BDRM	17	\$1,325	1	\$1,325	0

PROJECT	# OF UNITS	4/1/2008 RENT	VACANT 4/1/2008	10/1/2008 RENT	VACANT 10/1/2008
ROYAL COURT	52 UNITS	(408) 842-5484			
1 BDRM	6	\$551	0	\$551	0
2 BDRM	28	\$656-\$932	0	\$656-\$932	0
3 BDRM	18	\$753-\$1,103	0	\$753-\$1,103	0
SAN PEDRO GARDENS	20 UNITS*	(408) 361-4608			
2 BDRM	7	\$583	0	\$608	1
2 BDRM (Market Rate)	3	\$1,095	0	\$1,141	0
3 BDRM	10	\$628	0	\$658	0
SKEELS BUILDING	13 UNITS*	(408) 842-5484			
STUDIO	13	\$450	0	\$450	0
TERRACINA I	76 UNITS*	(408) 782-1034			
1 BDRM	18	\$654 - \$1,152	0	\$654 - \$1,152	0
2 BDRM	34	\$781 - \$1,379	0	\$782 - \$1,379	0
3 BDRM	22	\$900 - \$1,590	0	\$900 - \$1,590	0
4 BDRM	2	\$1,454	0	\$1,454	0
TERRACINA II	72 UNITS*	(408) 782-1034			
1 BDRM	16	\$654 - \$1,152	0	\$654 - \$1,152	0
2 BDRM	32	\$781 - \$1,378	0	\$781 - \$1,378	0
3 BDRM	24	\$900 - \$1,590	1	\$900 - \$1,590	0
VILLA CIOLINO	42 UNITS*	(408) 842-5484			
1 BDRM	12	\$522 - \$849	0	\$620 - \$891	2
2 BDRM	17	\$684 - \$1,010	0	\$781 - \$1,061	0
3 BDRM	13	\$713 - \$1,168	0	\$762 - \$1,191	0
VILLA TERESA	30 UNITS	(408) 776-9877			
1 BDRM	30	\$900	0	\$950	3
VILLAGE AVANTE	112 UNITS*	(408) 779-4361			
2 BDRM	8	\$676 - \$1,169	0	\$676 - \$1,169	1
3 BDRM	39	\$778 - \$1,352	1	\$778 - \$1,352	0
4 BDRM	48	\$860 - \$1,486	1	\$860 - \$1,483	1
5 BDRM	17	\$945 - \$1,664	0	\$945 - \$1,664	0

PROJECT	# OF UNITS	4/1/2008 RENT	VACANT 4/1/2008	10/1/2008 RENT	VACANT 10/1/2008
VINEYARD COURT	50 UNITS	(408) 778-3237			
2 BDRM	50	\$1,775 - \$1,925	1	\$1,775 - \$1,925	1
WILLOWS	20 UNITS*	(408) 842-5484			
2 BDRM	3	\$889 - \$918	0	\$889 - \$918	0
3 BDRM	9	\$911 - \$969	0	\$911 - \$969	0
4 BDRM	8	\$1,192 - \$1,102	0	\$1,192 - \$1,102	0
	1158		26 2.20% Vacant		18 1.55% Vacant
TOTAL APARTMENT HOUSING UNITS LISTED ABOVE: 1,158					
RENTS LISTED ARE ESTABLISHED FOR THE MONTH OF OCTOBER 2008 AND ARE SUBJECT TO CHANGE IN ACCORDANCE WITH THE OWNER/MANAGER'S POLICY					
*Applicants must meet certain income limits to be eligible to rent one of these units. Call number listed for additional information.					

SENIOR HOUSING - BIENNIAL VACANCY SURVEY					
October-08					
PROJECT	# OF UNITS	4/1/2008 RENT	VACANT 4/2008	10/1/2008 RENT	VACANT 10/2008
SHADOWBROOK	27 UNITS	(408) 778-2504			
1 BDRM	21	\$825	0	\$825	0
2 BDRM.	6	\$1,100	0	\$1,100	0
SYCAMORE GLEN	20 UNITS*	(408) 842-5484			
STUDIO	6 units	30% of Income	0	30% of Income	0
1 BDRM	14 (1 Manager)		0		0
	47				
TOTAL SENIOR HOUSING UNITS LISTED ABOVE: 47					
RENTS LISTED ARE ESTABLISHED FOR THE MONTH OF OCTOBER 2008 AND ARE SUBJECT TO CHANGE IN ACCORDANCE WITH THE OWNER/MANAGER'S POLICY					
*Applicants must meet certain income limits to be eligible to rent one of these units. Call number listed for additional information.					
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